

**EIGHTIETH LEGISLATIVE DAY
WEDNESDAY, MARCH 29, 2006**

House of Representatives

The House convened at 10 a.m., Mr. Denney in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Carl Dayton, Page.

Approval of Journal

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-Ninth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

March 28, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1266**, as amended, **S 1314**, as amended, **S 1327**, **S 1338**, **S 1339**, **S 1343**, **S 1350**, as amended, **S 1356**, as amended, **S 1414**, **S 1428**, **S 1454**, **S 1455**, **S 1412**, as amended, **SCR 125**, **SCR 126**, **SCR 129**, **SCR 130**, and **SJM 119** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1266**, as amended, **S 1314**, as amended, **S 1327**, **S 1338**, **S 1339**, **S 1343**, **S 1350**, as amended, **S 1356**, as amended, **S 1414**, **S 1428**, **S 1454**, **S 1455**, **S 1412**, as amended, **SCR 125**, **SCR 126**, **SCR 129**, **SCR 130**, and **SJM 119** and, when so signed, ordered them returned to the Senate.

March 28, 2006

Mr. Speaker:

I return herewith enrolled **H 801**, **H 802**, **H 803**, **H 804**, **H 805**, **H 743**, **H 808**, **H 809**, **H 810**, **H 811**, **H 812**, **H 813**, **H 650**, as amended, **H 776**, **H 648**, as amended in the Senate, and **H 624**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 801**, **H 802**, **H 803**, **H 804**, **H 805**, **H 743**, **H 808**, **H 809**, **H 810**, **H 811**, **H 812**, **H 813**, **H 650**, as amended, **H 776**, **H 648**, as amended in the Senate, and **H 624**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 28, 2006

Mr. Speaker:

I transmit herewith **S 1464**, **S 1465**, **S 1466**, **S 1467**, **S 1469**, and **S 1441**, as amended, which have passed the Senate.

WOOD, Secretary

S 1464, **S 1465**, **S 1466**, **S 1467**, **S 1469**, and **S 1441**, as amended, were filed for first reading.

March 28, 2006

Mr. Speaker:

I return herewith **HJM 22**, **HCR 62**, **H 819**, **H 754**, **H 756**, **H 757**, **H 726**, **H 765**, **H 630**, as amended, **H 817**, **H 818**, **H 826**, **H 827**, **H 828**, **H 663**, as amended, **H 705**, as amended, **H 735**, as amended, **H 758**, **H 731**, **H 784**, **H 829**, **H 830**, **H 831**, **H 750**, as amended, **H 763**, **H 796**, **H 764**, **H 728**, **H 780**, **H 781**, **H 474**, as amended, and **H 745** which have passed the Senate.

WOOD, Secretary

HJM 22, **HCR 62**, **H 819**, **H 754**, **H 756**, **H 757**, **H 726**, **H 765**, **H 630**, as amended, **H 817**, **H 818**, **H 826**, **H 827**, **H 828**, **H 663**, as amended, **H 705**, as amended, **H 735**, as amended, **H 758**, **H 731**, **H 784**, **H 829**, **H 830**, **H 831**, **H 750**, as amended, **H 763**, **H 796**, **H 764**, **H 728**, **H 780**, **H 781**, **H 474**, as amended, and **H 745** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 28, 2006

Mr. Speaker:

I return herewith **H 744** which has failed the Senate.

WOOD, Secretary

H 744 was filed in the Office of the Chief Clerk.

March 28, 2006

Mr. Speaker:

I return herewith **H 713**, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, as amended in the Senate, which have passed the Senate.

WOOD, Secretary

H 713, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, as amended in the Senate, were ordered held at the Desk.

Mrs. Chadderdon asked unanimous consent that the House concur in the Senate amendments to **H 713**, as amended, as amended in the Senate. There being no objection, it was so ordered.

Mr. Roberts asked unanimous consent that the House concur in the Senate amendments to **H 561**, as amended in the Senate, as amended in the Senate. There being no objection, it was so ordered.

H 713, as amended, as amended in the Senate, and **H 561**, as amended in the Senate, as amended in the Senate, were referred

to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION report that we have printed House Amendments to **H 761**, **S 1425**, **S 1437**, and **H 832**.

FIELD(18), Chairman

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **HCR 50**, as amended.

FIELD(18), Chairman

The Speaker Pro Tem announced that the Speaker would sign enrolled **HCR 50**, as amended, and, when so signed, ordered it transmitted to the Senate for the signature of the President.

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 761**, as amended, and **H 832**, as amended.

FIELD(18), Chairman

H 761, as amended, and **H 832**, as amended, were filed for first reading of engrossed bills.

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 712**, **H 545**, **H 686**, **H 687**, **H 729**, **H 582**, **H 680**, **H 793**, **H 794**, **H 797**, **H 798**, **H 799**, and **H 594** to the Governor at 11:40 a.m., as of this date, March 28, 2006.

FIELD(18), Chairman

March 29, 2006

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HCR 59** and **HJM 21** to the Secretary of State at 11:25 a.m., as of this date, March, 28, 2006.

FIELD(18), Chairman

March 28, 2006

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration **S 1370** and recommend that it do pass.

BLOCK, Chairman

S 1370 was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 67

BY WAYS AND MEANS COMMITTEE

A CONCURRENT RESOLUTION

PROVIDING LEGISLATIVE FINDINGS AND RECOGNIZING, HONORING AND COMMENDING CARL F. BIANCHI FOR HIS YEARS OF SERVICE TO THE LEGISLATURE OF THE STATE OF IDAHO AND TO THE IDAHO COURTS UPON HIS RETIREMENT.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in August 1993, Carl F. Bianchi was hired by the Legislative Council as the first Director of Legislative Services and helped establish the tradition of a professional centralized nonpartisan staff serving Idaho's citizen legislators; and

WHEREAS, Carl, prior to his legislative staff tenure, had a distinguished career as Administrative Director of the Courts in Idaho from 1973 to 1993; and

WHEREAS, Carl is a graduate of Hamilton College and Duke Law School and is a Fellow of the National Institute for Court Management; and

WHEREAS, Carl is an attorney and has been certified for appointment as a circuit executive by the United States Court of Appeals and as a mediator by the Idaho Supreme Court; and

WHEREAS, Carl has authored the following books, studies and articles over the years: "Justice for the Times: A Centennial History of the Idaho State Courts," "Keep the Children Out of Jail: A Report on an Informal Survey of Juvenile Detention Facilities in Idaho," "Comprehensive Planning and a Judicial Planning Program for the Hawaii Court System," "Are Idaho's Small Claims Departments Working?," "Analysis of Scheduling and Calendar Management Procedures in District Court One of Pierce County, Washington, Tacoma, Washington," "Analysis of Magistrate Court Caseload Management and Records Administration in Three Iowa Jurisdictions: Woodbury (Sioux City), Dickinson and Plymouth Counties," "1977 Report on an Informal Survey of Juvenile Detention Facilities," and "A Training Manual for Court Planners: Translating State Umbrella Goals into Operational Goals and Objectives"; and

WHEREAS, from 1990 to 1994 Carl filled a presidential appointment as a member of the Board of Directors of the State Justice Institute and also chaired the National Conference of State Court Administrators for two years, and throughout his career has served on many national committees involving the courts; and

WHEREAS, Carl chaired the Council of State Governments West Committee of Legislative Services Agency/Research Directors Committee until 2005 and was a member of the Council of State Government's national Executive Committee; and

WHEREAS, Carl helped the Legislature move into the technology era during his tenure as Director of Legislative Services making the institution both more efficient and accessible to the public; and

WHEREAS, Carl has been the commensurate professional,

always treating legislators and members of the public with warmth, friendliness, professionalism and a sense of humor; and

WHEREAS, Carl embodies the culture of customer service of the Legislative Services Office and loyalty to the institution of the Legislature; and

WHEREAS, Carl will be retiring in August 2006 as Director of the Legislative Services Office.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we recognize, honor and commend Carl F. Bianchi for his years of service to the Idaho Legislature, for his positive contributions to the Legislature, its employees and the legislative process, as well as for his years of service to the Idaho courts, and we wish him well in retirement.

HCR 67 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 855
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO THE SALES AND USE TAX; AMENDING CHAPTER 36, TITLE 63, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 63-3622SS, IDAHO CODE, TO PROVIDE A SALES AND USE TAX REBATE FOR RETAILERS WHO HAVE INCURRED MINIMUM COSTS IN PUTTING IN AN INTERCHANGE ON AN INTERSTATE HIGHWAY AND/OR FREEWAY INTERCHANGE IMPROVEMENTS ON LAND OWNED BY THE STATE OF IDAHO OR ANY OF ITS POLITICAL SUBDIVISIONS AND UTILITY INFRASTRUCTURE INSTALLED WITHIN THE PUBLIC RIGHTS-OF-WAY, TO PROVIDE PROCEDURES, TO PROVIDE WHEN THE REBATE IS NO LONGER PAID AND TO DEFINE TERMS; DECLARING AN EMERGENCY AND PROVIDING A SUNSET DATE.

**HOUSE BILL NO. 856
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO ANNEXATION INTO A CITY; AMENDING SECTION 50-222, IDAHO CODE, TO PROVIDE CONDITIONS THAT MUST BE MET FOR LAND OUTSIDE A NEGOTIATED AREA OF IMPACT TO BE ANNEXED INTO A CITY AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 857
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO ADMINISTRATIVE RULES; CONTINUING CERTAIN RULES IN FULL FORCE AND EFFECT UNTIL JULY 1, 2007; CONTINUING RULES APPROVED OR EXTENDED BY ADOPTION OF A

CONCURRENT RESOLUTION OF THE FIRST REGULAR SESSION OF THE FIFTY-EIGHTH IDAHO LEGISLATURE IN FULL FORCE AND EFFECT UNTIL JULY 1, 2007, OR UNTIL SUCH TIME AS THEY SHALL EXPIRE; PROVIDING THAT RULES REJECTED BY CONCURRENT RESOLUTION SHALL BE NULL, VOID AND OF NO FORCE AND EFFECT; AUTHORIZING AGENCIES TO AMEND OR REPEAL CERTAIN RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURE ACT AND DECLARING THE EFFECT OF THIS ACT UPON ADMINISTRATIVE RULES; AND PROVIDING SEVERABILITY.

**HOUSE BILL NO. 858
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO EMERGENCY MEDICAL SERVICES; AMENDING SECTION 56-1012, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 56-1013, IDAHO CODE, TO PROVIDE FOR CORRECT TERMINOLOGY AND TO MODIFY RULEMAKING AUTHORITY; AMENDING CHAPTER 10, TITLE 56, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 56-1013A, IDAHO CODE, TO CREATE AN IDAHO EMERGENCY MEDICAL SERVICES PHYSICIAN COMMISSION AND TO PROVIDE FOR THE GOVERNANCE OF THE COMMISSION; AMENDING SECTION 56-1016, IDAHO CODE, TO ELIMINATE GRANDFATHER RIGHTS FOR AMBULANCES AND TO PROVIDE FOR SUPERVISION OF THE MEDICAL SERVICES PROVIDED BY PERSONNEL AFFILIATED WITH LICENSED AMBULANCE OR NON-TRANSPORT SERVICE; AND AMENDING SECTION 56-1017, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY.

**HOUSE BILL NO. 859
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO TAXATION POLICIES FOR FUNDING PUBLIC SCHOOLS; AMENDING SECTION 33-701, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL MAINTENANCE AND OPERATION LEVIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT LEVIES THAT MAY BE IMPOSED WITHOUT VOTER APPROVAL, TO PROVIDE BUDGET STABILIZATION LEVIES FOR CERTAIN DISTRICTS, TO DELETE THE LOCAL DISTRICT CONTRIBUTION FOR SCHOOL FORMULA PURPOSES, TO CONTINUE IN EFFECT ALL VOTER APPROVED LEVIES FOR THE TERM AUTHORIZED AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-802A, IDAHO CODE, TO CLARIFY REFERENCES TO SCHOOL LEVIES; REPEALING SECTION 33-808, IDAHO CODE, RELATING TO NOTICE OF ADJUSTMENT TO MARKET VALUE FOR ASSESSMENT PURPOSES UPON TERMINATION OF A REVENUE ALLOCATION AREA; AMENDING SECTION 33-905, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE HOW THE EDUCATIONAL SUPPORT

PROGRAM IS CALCULATED, TO PROVIDE ELIGIBILITY FOR CHARTER DISTRICTS TO CONTINUE TO RECEIVE SCHOOL FORMULA MONEYS AND TO MAKE TECHNICAL CORRECTIONS; REPEALING SECTION 33-1002A, IDAHO CODE, RELATING TO THE LOCAL DISTRICT CONTRIBUTION REDUCTION AND REPEALING SECTION 33-1002D, IDAHO CODE, RELATING TO PROPERTY TAX REPLACEMENT; AMENDING SECTION 33-1003, IDAHO CODE, TO DELETE REFERENCE TO AN OBSOLETE PROVISION AND TO MAKE TECHNICAL CORRECTIONS; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL UTILIZE THE PROVISIONS OF SECTIONS 33-802, 33-1002, 33-1002A, 33-1002D AND 33-1003, IDAHO CODE, AS THEY EXISTED PRIOR TO AMENDMENT OR REPEAL BY THE PROVISIONS OF THIS ACT FOR THE PURPOSES OF FUNDING PUBLIC SCHOOLS THROUGH THE END OF FISCAL YEAR 2006; AMENDING SECTION 33-1004, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1114, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES; AMENDING SECTION 33-1408, IDAHO CODE, TO REVISE THE SPECIAL LEVY FOR TUITION AND TO EXEMPT THE LEVY FROM THE THREE PERCENT PROPERTY TAX CAP; AMENDING SECTION 33-5208, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX FOR SCHOOLS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-315, IDAHO CODE, TO PROVIDE APPLICATION TO CHARTER SCHOOL DISTRICTS LEVYING A MAINTENANCE AND OPERATION LEVY IN THE PRIOR CALENDAR YEAR; AMENDING SECTION 63-802A, IDAHO CODE, TO DELETE REFERENCE TO SCHOOL DISTRICT MAINTENANCE AND OPERATION LEVIES, TO PROVIDE APPLICATION TO SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 63-811, IDAHO CODE, TO DELETE REFERENCE TO PROPERTY TAX ALLOCATED FOR SCHOOLS; AMENDING SECTION 63-3619, IDAHO CODE, TO INCREASE THE SALES TAX TO SIX PERCENT; AMENDING SECTION 63-3621, IDAHO CODE, TO INCREASE THE USE TAX TO SIX PERCENT; AMENDING SECTION 63-3638, IDAHO CODE, TO REVISE THE DISTRIBUTION FOR SALES TAX REVENUES, TO DELETE REFERENCE TO MAINTENANCE AND OPERATION TAXES FOR SCHOOL DISTRICTS AND TO MAKE A TECHNICAL CORRECTION; PROVIDING SEVERABILITY; DECLARING AN EMERGENCY, PROVIDING RETROACTIVE APPLICATION AND PROVIDING EFFECTIVE DATES.

H 855, H 856, H 857, H 858, and H 859 were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 761, as amended, by State Affairs Committee, was introduced, read the first time by title and filed for second reading.

H 832, as amended, by Ways and Means Committee, was introduced, read the first time by title and filed for second reading.

There being no objection, the House advanced to the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

H 849 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **H 849** pass?"

Roll call resulted as follows:

AYES -- Anderson, Barraclough, Bastian, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Collins, Deal, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Harwood, Henbest, Henderson, Jaquet, Kemp, LeFavour, Martinez, Miller, Mitchell, Moyle, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills. Total -- 49.

NAYS -- Andrus, Barrett, Clark, Crow, Denney, Hart, Lake, Loertscher, Mathews, McGeachin, McKague, Nielsen, Nonini, Roberts, Rydalch, Sali, Shepherd(8), Smith(24), Wood. Total -- 19.

Absent and excused -- Bayer, Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 849** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 851 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Bedke to open debate.

The question being, "Shall **H 851** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche,

Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 851** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

H 852 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **H 852** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- Barrett. Total -- 1.

Absent and excused -- Bedke, Moyle, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **H 852** passed the House. Title was approved and the bill was ordered transmitted to the Senate.

S 1456 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Eskridge to open debate.

The question being, "Shall **S 1456** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 63.

NAYS -- Barrett, Crow, Loertscher, McKague, Sali. Total -- 5.

Absent and excused -- Smith(24), Mr. Speaker. Total -- 2.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1456** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1458 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Ringo to open debate.

The question being, "Shall **S 1458** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- McKague, Moyle, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1458** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1459 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **S 1459** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- McKague, Mr. Speaker. Total -- 2.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1459** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1460 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Ms. Henbest to open debate.

The question being, "Shall **S 1460** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1460** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1461 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Harwood to open debate.

The question being, "Shall **S 1461** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 68.

NAYS -- None.

Absent and excused -- Edmunson, Mr. Speaker. Total -- 2.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1461** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1463 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Henderson to open debate.

The question being, "Shall **S 1463** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Field(23), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 69.

NAYS -- None.

Absent and excused -- Mr. Speaker. Total -- 1.
Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1463** passed the House. Title was approved and the bill was ordered returned to the Senate.

S 1367 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Hart to open debate.

The question being, "Shall **S 1367** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Crow, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydalch, Sali, Sayler, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 66.

NAYS -- Bolz. Total -- 1.

Absent and excused -- Field(23), Henderson, Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1367** passed the House. Title was approved and the bill was ordered returned to

the Senate.

SCR 124 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mr. Nielsen to open debate.

The question being, "Shall **SCR 124** be adopted?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Brackett, Bradford, Cannon, Chadderdon, Clark, Collins, Deal, Denney, Edmunson, Ellsworth, Eskridge, Field(18), Garrett, Hart, Harwood, Henbest, Henderson, Jaquet, Kemp, Lake, LeFavour, Loertscher, Martinez, Mathews, McGeachin, McKague, Miller, Mitchell, Moyle, Nielsen, Nonini, Pasley-Stuart, Pence, Raybould, Ring, Ringo, Roberts, Rusche, Rydallch, Sali, Saylor, Schaefer, Shepherd(2), Shepherd(8), Shirley, Skippen, Smith(30), Smith(24), Smylie, Snodgrass, Stevenson, Trail, Wills, Wood. Total -- 67.

NAYS -- None.

Absent and excused -- Crow, Field(23), Mr. Speaker. Total -- 3.

Total -- 70.

Whereupon the Speaker Pro Tem declared **SCR 124** passed the House. Title was approved and the resolution was ordered returned to the Senate.

S 1390, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker Pro Tem recognized Mrs. Block to open debate.

Ms. Henbest asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **S 1390**, as amended. There being no objection, it was so ordered.

The question being, "Shall **S 1390**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Bell, Bilbao, Black, Block, Boe, Bradford, Chadderdon, Collins, Deal, Eskridge, Field(18), Field(23), Garrett, Henbest, Jaquet, LeFavour, Martinez, Miller, Pasley-Stuart, Pence, Ring, Ringo, Rusche, Saylor, Schaefer, Shepherd(2), Shirley, Skippen, Smith(30), Smylie, Snodgrass, Trail, Wills. Total -- 34.

NAYS -- Andrus, Barraclough, Barrett, Bastian, Bayer, Bedke, Bolz, Brackett, Cannon, Clark, Crow, Denney, Edmunson, Ellsworth, Hart, Harwood, Henderson, Kemp, Lake, Loertscher, Mathews, McGeachin, McKague, Moyle, Nielsen, Nonini, Raybould, Roberts, Rydallch, Sali, Shepherd(8), Smith(24), Stevenson, Wood. Total -- 34.

Absent and excused -- Mitchell, Mr. Speaker. Total -- 2.

Paired Votes:

AYE -- Bilbao.

NAY -- Lake.

AYE -- Bell.

NAY -- Stevenson.

AYE -- Pasley-Stuart.

NAY -- Raybould.

(Pairs enumerated in roll call above.)

Total -- 70.

Whereupon the Speaker Pro Tem declared **S 1390**, as amended, failed to pass the House and ordered the bill returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places until Friday, March 31, 2006. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

Consideration of Messages from the Governor and the Senate

March 29, 2006

Mr. Speaker:

I transmit herewith enrolled **S 1340**, as amended, **S 1386**, as amended, **S 1388**, **S 1389**, as amended in the House, **S 1415**, **S 1423**, as amended, **S 1457**, **SJM 120**, and **SCR 128** for the signature of the Speaker.

WOOD, Secretary

The Speaker Pro Tem announced that the Speaker would sign enrolled **S 1340**, as amended, **S 1386**, as amended, **S 1388**, **S 1389**, as amended in the House, **S 1415**, **S 1423**, as amended, **S 1457**, **SJM 120**, and **SCR 128** and, when so signed, ordered them returned to the Senate.

March 29, 2006

Mr. Speaker:

I return herewith enrolled **HJM 18**, as amended, **HCR 48**, **HCR 49**, **HCR 51**, **HCR 52**, **HCR 53**, **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled **H 695**, as amended in the Senate, and **H 676**, as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

Enrolled **HJM 18**, as amended, **HCR 48**, **HCR 49**, **HCR 51**, **HCR 52**, and **HCR 53** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1425, as amended in the House, by Judiciary and Rules Committee, was introduced, read the first time by title, and filed for second reading.

S 1437, as amended in the House, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

S 1464, S 1465, S 1466, S 1467, and S 1469, by Finance Committee, were introduced, read the first time by title, and filed for second reading.

S 1441, as amended, by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10 a.m., Thursday, March 30, 2006. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 12:44 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk